

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO
ROSWELL DIVISION

Deborah West,

*On behalf of herself and those similarly
situated,*

Plaintiff,

v.

Bam! Pizza Management, Inc.; Brian Bailey;
Doe Corporation 1-10; John Doe 1-10;

Defendants.

Case No. 1:22-cv-00209-DHU-JHR

Class Action

PLAINTIFF'S UNCONTESTED MOTION TO CONTINUE HEARING ON MOTION TO
COMPEL ARBITRATION

Counsel for Plaintiff Deborah West respectfully moves the Court for a continuance of the hearing on Defendants' Motion to Compel Arbitration (Doc. 29), currently scheduled for August 10, 2022 at 10:00 a.m. (Dkt. 40). Plaintiff's lead counsel, based in Cincinnati, Ohio, has been unable to secure childcare to allow her to travel for an in-person hearing on the date selected by the Court. Plaintiff's counsel conferred with Defendants' counsel regarding the conflict, and submit the following mutual availability of counsel for a continued hearing date:

- August 26 or 30; or
- September 2, 9 or 12.

Counsel is cognizant of the Court's demanding caseload and will promptly provide additional availability should the Court be unable to accommodate a hearing on any of the above-referenced dates.

Respectfully,

/s/ Emily Hubbard

Andrew R. Biller (*associated*)
Andrew P. Kimble (*associated*)
Emily A. Hubbard (*associated*)
Biller & Kimble, LLC
8044 Montgomery Road, Suite 515
Cincinnati, OH 45236
Telephone: (513) 202-0710
Facsimile: (614) 340-4620
abiller@billerkimble.com
akimble@billerkimble.com
ehubbard@billerkimble.com

Christopher Moody (Bar # 1850)
MOODY & STANFORD, P.C.
4169 Montgomery Blvd., NE
Albuquerque, NM 87109
505-944-0033 (Phone)
505-944-0034 (Fax)
moody@nmlaborlaw.com

Counsel for Plaintiff and the putative class

Certificate of Service

I HEREBY CERTIFY that on the 21st day of July 2022, I filed the foregoing electronically through the CM/ECF system, which caused all counsel of record to be served by electronic means via email.

/s/ Emily Hubbard

Emily Hubbard